

Introduce, waive reading and adopt *"An Urgency Ordinance of the Board of Supervisors of the County of Lassen Repealing Ordinances 449 and 2011-003 and Establishing that Adjusting the Boundaries of Supervisorial Districts may be Established by Resolution. (4/5th Vote Required.)"*

DISCUSSION

In 2011, the Board of Supervisors adopted Lassen County Ordinance 2011-003 establishing the supervisorial districts in 2011 following the 2010 census. Current law permits supervisorial districts to be adopted by ordinance or resolution. The 2021 supervisorial districts must be adopted by December 15, 2021.

Due to changes in the law applicable to redistricting, delays in receiving the 2020 census data, and the Board of Supervisors schedule for regularly scheduled hearings, the time frame in which to adopt supervisorial districts has been compressed making it nearly impossible to adopt the 2021 supervisorial districts via ordinance.

Adoption of this ordinance permits adoption of future supervisorial districts by resolution and repeals Lassen County Ordinance 2011-0032 establishing the supervisorial districts in 2011 following the 2010 census upon adoption by the Board of Supervisors of supervisorial districts by resolution pursuant to Elections Code section 21500. Adoption of this ordinance also repeals Lassen County Ordinance 449.

The Board will consider the supervisorial districts at public hearings over the next 30 days.

ALTERNATIVES

The Board could choose not to adopt this ordinance. That is not recommended as it would prevent the new supervisorial districts from being established by December 15, which would result in the Lassen County Superior Court having the responsibility to establish the 2021 supervisorial districts.

ORDINANCE NO. 2021-xx

AN URGENCY ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LASSEN REPEALING ORDINANCES 449 and 2011-003 AND ESTABLISHING THAT ADJUSTING THE BOUNDARIES OF SUPERVISORIAL DISTRICTS MAY BE ESTABLISHED BY RESOLUTION (4/5th Vote)

WHEREAS, Ordinance No. 2011-003 was adopted in 2011, to establish boundaries of the Supervisorial Districts following the decennial census and the information provided to the County Clerk in 2011; and

WHEREAS, Elections Code section 21500 provides that a Board of Supervisors may adopt boundaries for its supervisorial districts by ordinance or resolution; and

WHEREAS, adoption of supervisorial districts following the most recent decennial census has been delayed and complicated by delays in the census process, rendering adoption of a non-urgency ordinance virtually impossible; and

WHEREAS, the deadline for submission to the state of the adopted boundaries is December 15, 2021; and

WHEREAS, in the significant public interest of having the County of Lassen draw their own district boundaries with input from the public rather than the Superior Court of Lassen County drawing said boundaries, it is essential that the December 15, 2021 deadline be met; and

WHEREAS, in order to meet said deadline it is necessary to pass an urgency ordinance authorizing the Board of Supervisors to adopt new supervisorial district boundaries by resolution and upon adoption of said resolution, repealing the existing ordinances as set forth above. Existing ordinances 2011-003 and 449 shall not be repealed unless and until the Board of Supervisors adopts a resolution setting boundaries for its supervisorial districts.

NOW THEREFORE, The Board of Supervisors of the County of Lassen ordains as follows:

SECTION 1. The Board of Supervisors may by resolution, following any federal decennial census, adopt the boundaries of all the supervisorial districts in the County of Lassen in accordance with applicable law.

SECTION 2. Ordinance No. 2011-003 is repealed upon adoption by the Board of Supervisors of supervisorial districts by resolution pursuant to Elections Code section 21500, as it may amended from time to time, or in accordance with applicable law.

SECTION 3. Ordinance No. 449 is repealed upon adoption by the Board of Supervisors of supervisorial districts by resolution pursuant to Elections Code section 21500, as it may amended from time to time, or in accordance with applicable law.

SECTION 4: If any section, subsection, sentence, clause, phrase, or provision of this Ordinance or its application to any person or circumstance is held invalid for any reason, the invalidity does not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable.

The Board of Supervisors hereby declares that it would have passed this Ordinance and every section, subsection, sentence, clause, phrase, or provision thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or provisions be declared unconstitutional or invalid.

SECTION 5: All former ordinances and resolutions, or parts thereof, conflicting or inconsistent with the provisions of this Ordinance are hereby superseded by this Ordinance.

SECTION 6. This Ordinance shall be in full force and effect immediately upon its passage.

The clerk shall cause this Ordinance to be published as required by law.

DULY PASSED AND ADOPTED this 16th day of November, 2021, by the Board of Supervisors of the County of Lassen by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: Julie Bustamante
Clerk of the Board of Supervisors

By: _____